

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 55-78 are currently pending in the application; non-elected Claims 55-65, 68, 70, 72, 74, 76 and 78 are withdrawn from consideration; and Claim 66 is amended by way of present amendment. Support for amended Claim 66 can be found in the original specification, claims and drawings.¹ Thus, no new matter is added.

In the outstanding Official Action, the IDS filed with the application was not considered because a legible copy of the references was not provided; Claim 66 was rejected under 35 U.S.C. § 102(b) as being anticipated by Brother (JP 405201571, hereinafter “Brother”); and Claims 67, 69, 71, 73, 75 and 77 stand allowed. Applicants appreciatively acknowledge the indication of allowable claims.

The Official Action stated that the IDS filed September 4, 2003 was not considered because it fails to comply with 37 C.F.R. § 1.98(a)(2) requiring a legible copy of each U.S. and foreign patent cited. However, the current application is a continuation of U.S. Patent Application No. 09/865,582, in which the IDS was originally filed and in which copies of the references were provided. 37 C.F.R. § 1.98 (d) states:

“[a] copy of any patent, publication, pending U.S. application or other information, as specified in paragraph (a) of this section, listed in an information disclosure statement is required to be provided, even if the patent, publication, pending U.S. application or other information was previously submitted to, or cited by, the Office in an earlier application, *unless*:

(1) The earlier application is properly identified in the information disclosure statement and is relied on for an earlier effective filing date under 35 U.S.C. 120; and

(2) The information disclosure statement submitted in the earlier application complies with paragraphs (a) through (c) of this section.”

Applicants respectfully submit that the IDS filed September 4, 2003 properly identified parent Application No. 09/865,582. Further, the IDS filed in the parent application

¹ Claim 66 is amended to limit the choices available from a Markush group recited in the Claim.

complied with 37 C.F.R. § 1.98 (a) through (c) and was considered by the Office.

Accordingly, Applicants respectfully request that the IDS filed September 4, 2003 be considered, since the references cited therein were provided in parent Application Serial No. 09/865,582. As a courtesy, English translations of the submitted references are provided herewith.

Applicant's respectfully submit that amended Claim 66 states novel features clearly not taught or rendered obvious by Brother.

Amended Claim 66 relates to an image forming device which includes a sheet feeding device to convey a sheet to the image forming device. The sheet feeding device includes a roller and a separation member, and the separation member is pressed against and in contact with the feed roller by way of pressure applied between the feed roller and the separation member. This configuration allows for the conveyance of a plurality of sheets, one by one, to the image forming device. A pressing device is also provided which cyclically provides a change in the pressure applied between the feed roller and the separation member.

Claim 66 is amended to specifically recite that the separation member is:

*"a reverse roller upwardly and elastically supported by an axis, said axis being rotated by a driving gear and a gear engaged with said driving gear and supported at one side thereof, **said reverse roller being arranged at a free end side of said axis via a torque limiter, so as to be rotated in a sheet feeding direction and a direction opposite the sheet feeding direction.**"*

Turning to the applied reference, Brother describes a sheet separating member and feeding mechanism composed of a paper feed roller (2) for conveying documents toward a downstream side. A separating piece (4) is disposed above the roller (2) and made to be in pressure contact with the roller (2) for separating and clamping documents one by one.

Brother's device also includes a separating piece oscillating member (25) adapted to swing

around a rotary shaft (26) at a predetermined period so as to oscillate the separating piece (4).²

However, as depicted in Fig. 1-3, Brother describes that the roller member (2) is rotated only in a single direction for feeding the sheet in the direction of the image forming device. In contrast, amended Claim 66 recites that the reverse roller in the sheet separation member can be rotated in a sheet feeding direction *and a direction opposite the sheet feeding direction*. Brother describes only that the roller member (2) is capable of rolling in the sheet feeding direction and fails, at any point, to teach or suggest that the roller is capable of rotating in the direction opposite to the feeding direction, as recited in amended Claim 66.

Amended Claim 66 also recites that the *reverse roller being arranged at a free end side of said axis via a torque limiter*, thus facilitating the rotation in a plurality of directions. Brother fails to teach or suggest that a torque limiter is provided on any side of the axis of roller (2).

Amended Claim 66 also recites that the reverse roller is upwardly and *elastically* supported by an axis. While Brother does show an axis for supporting the roller member (2) in Fig. 3, Brother fails to teach or suggest that this axis member is capable of elastically supporting the roller member (2), as recited in amended Claim 66.

Accordingly, Applicants respectfully request that the rejection of Claim 66, under 35 U.S.C. § 102(b) be withdrawn.

² Brother at translated “Constitution” portion of specification and Fig. 1.

Application No. 10/653,997
Reply to Office Action of December 21, 2004

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 66, 67, 69, 71, 73, 75 and 77 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Surinder Sachar
Registration No. 34,423

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\ATH\PROSECUTION\24's\242098-US\242098 AM 4.7.05.DOC